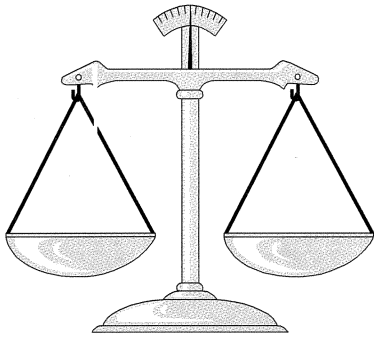


CASE MATERIALS

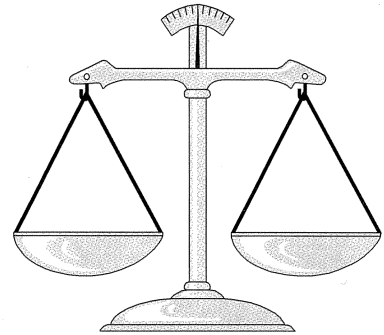
Official 2013 Mock Trial Materials
for the
**THIRTY-THIRD ANNUAL
UTAH LAW RELATED EDUCATION
MOCK TRIAL PROGRAM**



State of Utah

v.

P. J. Long



Case No. 13cr4141025

New York Mock Trial Competition
Rewritten and Adapted to Utah Law by the
Utah Law Related Education
Board of Directors

TRIAL FACTS AND WITNESS STATEMENTS

The facts of this case are hypothetical. Any resemblance between the person, facts, and circumstances described in these mock trial materials and real persons, facts, and circumstances is coincidental.

All witnesses may be portrayed by either sex. All witness names are meant to be gender non-specific. It is stipulated that any enactment of this case is conducted after the named dates in the stipulated facts and witness affidavits.

Materials borrowed and adapted from the work of the Mock Trial Subcommittee of the New York State Bar Association's Law, Youth and Citizenship Committee. Materials edited and adapted by the Utah Law Related Education Board of Directors.

FACT SUMMARY

P.J. Long, now 22 years old, is a resident of Canyon City in Great Salt Lake County, Utah. Last year, at the age of 21, s/he was charged with criminal assault. The victim is Devyn Malone, also 21 years old at the time. On March 18, 2012, s/he was assaulted outside a hip-hop establishment, The Hang Out, which is frequented by teenagers and young adults. The music is mostly rap and very loud. Devyn did not see who attacked him/her. Just before being struck from behind, s/he remembers hearing a voice, sounding similar to the defendant's, reciting the lyrics of a song by hard-core rapper D.J. Heartless. The lyrics that Devyn heard:

*If the chump gets in my way,
he is gonna have to pay,
that all for now I gotta say,
end of this rotten day.*

*With the tire iron from my trunk,
I will deploy in multiple phases,
and the chump I am sure,
will soon be pushing up daisies.*

were from the song entitled "The Chump Gotta Die," on the album *Future Destruction*, by D.J. Heartless.

D.J. Heartless is a Grammy-award winning artist who is very popular with the hip-hop crowd. Ryleigh Tecrest, a friend of Devyn's since middle school, had observed P.J. sitting in his/her car about 90 minutes before the attack, and P.J. was listening, over and over, to D.J. Heartless' song, "The Chump Gotta Die." Ryleigh likes to spend time at The Hang Out with Devyn and their friends. They also spend a lot of time at the Arcade Market on Main Street playing video games. About two years ago, Ryleigh was arrested for Joyriding/Unauthorized Control of a Motor Vehicle for an Extended Time, a third degree felony. The owner of the automobile left the car running when he went into Jimmy's Bagels to purchase a bagel. Ryleigh took the car for a joyride around town, picking up friends along the way. S/he was originally charged with theft of a motor vehicle, a second degree felony, but pleaded guilty to a reduced charge of Joyriding, a third degree felony. S/he received a sentence of probation which s/he successfully completed after one year.

About 30 minutes before the attack upon Devyn, s/he was inside The Hang Out and had accidentally bumped into the defendant, causing P.J. to spill his/her drink. Although Devyn did not intend to bump P.J., Devyn did not apologize and told P.J. to "watch it!" Devyn then shouted across the room, telling Ryleigh that they needed to leave The Hang Out in about 30 minutes. Ryleigh told Devyn that s/he would meet him/her at the car. At approximately 9:00 p.m., while outside The Hang Out and going to his/her car, Devyn was struck from behind by someone wielding a blunt-force metal object. Devyn was rendered temporarily unconscious and did not see his/her attacker. Ryleigh was just exiting The Hang Out to get a ride with Devyn and saw his/her friend on the ground. Ryleigh also saw someone running away with what appeared to be a tire iron in his/her hand. Ryleigh could not see the alleged attacker's face, but observed

that the person was of similar stature to P.J. and may have been wearing a black leather jacket similar to the one P.J. was wearing that night. The jacket is one of those leather coats with a large white eagle on the back. The jackets are popular with the young-adult crowd. As Devyn was regaining consciousness, Ryleigh asked him/her what had happened. Devyn said, "I think that loser P.J. Long clocked me." Because s/he had to care for Devyn, Ryleigh could not chase after the assailant. Instead, Ryleigh helped Devyn to his/her feet and drove him/her to the hospital for observation and treatment. Fifteen stitches were required to close the gash in the back of Devyn's head.

While in the hospital, Devyn was visited by police officer Kennedy Callahan. Devyn and Ryleigh told Officer Callahan what had happened to Devyn and who they believed the perpetrator to be. Officer Callahan had had many run-ins with P.J. Long over the years, having arrested P.J. on numerous occasions for minor criminal infractions. The officer did not like P.J. because P.J. had filed a complaint against the officer in May 2010 for Tasing him/her during an arrest for one of those minor infractions. Internal Affairs determined that the officer had not committed a crime in using the Taser, but did put a letter of reprimand in his/her personnel file admonishing the officer for using the Taser in that instance. Officer Callahan believes the admonishment letter has prevented him/her from being promoted to detective.

Perceived as a "hothead" around the station house, Officer Callahan has had a rocky relationship with the department command. The officer has had many citizen complaints lodged against him/her over the 15 years on the police force. S/he has appeared before Internal Affairs on at least ten occasions. Although s/he is an honest cop, s/he likes to make arrests and will "push the envelope" to do so. S/he likes to use his/her own techniques in catching criminals and prefers to work alone, having turned down offers to be assigned a partner. Some suspect s/he does not want a partner, so that s/he can use his/her "special techniques" in making arrests without scrutiny from other officers.

On the evening of March 18, Avery Maurder, P.J.'s best friend and roommate, noticed, at about 10:00 p.m., that P.J. was no longer in The Hang Out. S/he asked several of their friends where P.J. had gone. No one knew. At approximately 10:30 p.m., Avery, whose nickname is Murda, went to their apartment to look for P.J. S/he found P.J. in the apartment sitting in a chair and repeatedly listening to his/her favorite song, "The Chump Gotta Die." Murda recalls that P.J. may have replayed the song three or four times before they left the apartment at 11:00 p.m. to go to the arcade on Main Street to play video games.

Officer Callahan took statements from Devyn and Ryleigh and later went to the office of the prosecutor to request charges be filed against P.J. for Aggravated Assault, a third degree felony. On the morning of the next day (March 19, 2012), Officer Callahan went to the Criminal Court in Canyon City to obtain an arrest warrant. With the arrest warrant in hand, Officer Callahan went to P.J.'s apartment in the late afternoon of March 19 to execute the warrant. No one was home. The officer then went to The Hang Out early that evening to look for P.J. S/he asked the owner of The Hang Out, Max Miller, whether s/he had seen P.J. that day.

Max has had trouble with the State Liquor Commission (SLC) over the years. Teenagers come to The Hang Out for the music and to socialize with their friends. They are not permitted

to purchase alcoholic drinks, although it is known that drinking-age clientele will sometimes provide liquor to the teenagers. Max has been fined by the SLC for allowing teenagers to consume alcohol on his/her premises. The Hang Out does check IDs before serving alcohol, but Max could use more employees to make sure underage drinking is not occurring there. Max is trying to run a legitimate business; however, the young crowd attracted to The Hang Out causes many problems. Max could legally exclude the under-21 patrons from The Hang Out, but s/he would lose significant income from the over-priced soft drinks and energy drinks that these young people purchase. The loss of this income could result in The Hang Out closing its doors.

Max wanted to know why the officer was looking for P.J. Officer Callahan told Max that P.J. had assaulted Devyn in The Hang Out's parking lot the night before and that s/he had a warrant for his/her arrest. Always concerned about his/her liquor license, Max said that s/he was not aware of anyone being attacked in the parking lot. S/he did remember P.J. being in The Hang Out last night, and that P.J. and Devyn had an altercation. However, Max said s/he did not believe that P.J. would attack someone like that. The SLC had investigated a stabbing that had taken place in September of 2010 at the Hang Out. The SLC warned Max that future criminal conduct or underage drinking could result in a revocation of The Hang Out's liquor license. Without its liquor license, The Hang Out would have to shut down. Max told the officer that P.J. had not been in The Hang Out on March 18, 2012, at all. Officer Callahan told Max that if s/he is covering for P.J., there would be consequences. The officer was aware of Max's troubles with the SLC.

Upon leaving The Hang Out, Officer Callahan saw Murda in the parking lot and walking toward the establishment. Officer Callahan knew that Murda is P.J.'s best friend. S/he knew that Murda lives with P.J. in an apartment in a rundown building on Dune Street near Main Street. As the officer was exiting The Hang Out, Murda saw Officer Callahan, turned around quickly, and proceeded to run away. Officer Callahan gave chase and tackled Murda to the ground.

Murda, age 22, dropped out of high school in the eleventh grade. S/he works odd jobs to support himself/herself. Murda received his/her GED while serving time in the Great Salt Lake County Correctional Facility. S/he had been charged in 2010 with Aggravated Assault, a second degree felony, for having used a tire iron to viciously beat a helpless victim. S/he pleaded guilty to the lesser crime of Aggravated Assault, a third degree felony, and received a one-year jail sentence. Despite the nickname, Murda has never really killed anyone, although most people who know him/her believe s/he is fully capable. S/he has a quick temper.

Officer Callahan asked Murda why s/he was running. Murda said, "You know why." The officer said, "Why don't you tell me?" Murda told the officer s/he thought there was an arrest warrant out on him/her for repeatedly riding the UTA buses without paying. Callahan sarcastically said, "That's a likely story." According to Officer Callahan, arrest warrants are rarely issued for riding the UTA buses and trains without paying. Officer Callahan said to Murda, "I know why you were running. Now, tell me where P.J. is, or I might have to use my Taser." Murda said s/he did not know where P.J. was. As the officer was reaching for the Taser, Murda said s/he saw P.J. in the arcade on Main Street about an hour ago. The officer also asked Murda to tell him/her about the attack on Devyn. Murda denied having any knowledge of the

attack. S/he further stated that s/he did not care about Devyn and his/her friends. S/he told him/her that Devyn deserved what s/he got.

Officer Callahan proceeded to the arcade and arrested P.J. without incident. P.J. was bound over to District Court on the charge of Aggravated Assault, a third degree felony, and is out on bail.

STIPULATIONS

1. All witness statements are sworn and notarized.
2. All items of evidence are eligible for use at trial, following proper procedure for identification and submission.
3. No other stipulations shall be made between the plaintiff/prosecution and the defense, except as to the admissibility of evidentiary exhibits provided herein.
4. The Yaz jacket advertisement exhibit in the materials was placed in the *Canyon City Daily Express* newspaper on Black Friday, November 24, 2011.
5. The picture of the tire iron in the materials is a photograph of the tire iron that was discovered by Officer Callahan near The Hang Out. It is not stipulated that this is the weapon used in the alleged assault.
6. The forensic report exhibit in the materials is original and was prepared by Crime Scene Investigator, Horatio Caine, an expert in hair and blood analysis. Prior to trial, both sides have stipulated, and the Judge has agreed, that the report is admissible in whole or in part, by either party, without calling the Investigator, who is unavailable for trial.
7. The Hang Out parking lot exhibit in the materials was prepared by Officer Callahan on March 28, 2012, as part of the investigation of the alleged assault that took place in The Hang Out's parking lot on March 18, 2012.

WITNESSES

For the Prosecution:

Devyn Malone, the victim
Ryleigh Tecrest, victim's friend
Kennedy Callahan, the arresting
police officer

For the Defense:

P.J. Long, the defendant
Max Miller, owner of The Hang Out
Avery Maurder (a/k/a **Murda**),
defendant's friend

Great Salt Lake County Prosecutor
124 West 27th Avenue
Great Salt Lake County, UT 84801

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH, Prosecution, v. P.J. LONG, Defendant.	INFORMATION Case No. 139900420 Judge James R. Barnes
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The undersigned, Great Salt Lake County Prosecutor, states on information and belief, that the defendant, P.J. Long, at the Great Salt Lake County, committed the crime of:

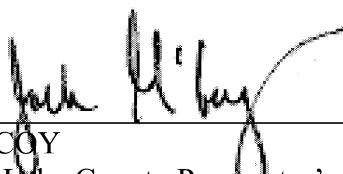
COUNT 1

AGGRAVATED ASSAULT, §76-5-103(1), *Utah Code Annotated*, a THIRD DEGREE FELONY, as follows:

That on or about March 18, 2012, in Great Salt Lake County, State of Utah, the defendant did commit assault as defined in *Utah Code Section 76-5-102*; and used

- (a) a dangerous weapon as defined in *Utah Code Section 76-1-601*; or
- (b) other means of force likely to produce death or serious bodily injury.

Authorized and presented for filing March 19, 2012



JACK McCOY
Great Salt Lake County Prosecutor's Office

APPLICABLE LAW

Title 76
Chapter 5
Section 102

§76-5-102. Assault

- (1) Assault is:
 - (a) an attempt, with lawful force or violence, to do bodily injury to another;
 - (b) a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or
 - (c) an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another.
- (2) Assault is a class B misdemeanor.
- (3) Assault is a class A misdemeanor if:
 - (a) the person causes substantial bodily injury to another; or
 - (b) the victim is pregnant and the person has knowledge of the pregnancy.
- (4) It is not a defense against assault, that the accused caused serious bodily injury to another.

Title 76
Section 5
Section 103

§76-5-103. Aggravated Assault.

- (1) A person commits aggravated assault if the person commits assault as defined in **§76-5-102** and uses:
 - (a) a dangerous weapon as defined in **§76-1-601**; or
 - (b) other means or force likely to produce death or serious bodily injury.
- (2)(a) A violation of Subsection (1) is a third degree felony, except under Subsection (2)(b).
- (b) A violation of Subsection (1) that results in serious bodily injury is a second degree felony.

Title 76
Chapter 1
Section 601

§76-1-601. Definitions

Unless otherwise provided, the following terms apply to this title:

- (1) “Act” means a voluntary bodily movement and includes speech.
- (2) “Actor” means a person whose criminal responsibility is in issue in a criminal action.

- (3) “Bodily injury” means physical pain, illness, or any impairment of physical condition.
- (4) “Conduct” means an act or omission.
- (5) “Dangerous weapon” means:
- (a) any item capable of causing death or serious bodily injury; or
 - (b) a facsimile or representation of the item, if:
 - (i) the actor’s use or apparent intended use of the item leads the victim to reasonably believe the item is likely to cause death or serious bodily injury; or
 - (ii) the actor represents to the victim verbally or in any other manner that he is in control of such an item.
- (7) “Offense” means a violation of any penal statute of this state.
- (8) “Omission” means a failure to act when there is a legal duty to act and the actor is capable of acting.
- (9) “Person” means an individual, public or private corporation, government, partnership, or unincorporated association.
- (10) “Possess” means to have physical possession of or to exercise dominion or control over tangible property.
- (11) “Serious bodily injury” means bodily injury that creates or causes serious permanent disfigurement, protracted loss or impairment of the function of any bodily member or organ, or creates a substantial risk of death.
- (12) “Substantial bodily injury” means bodily injury, not amounting to serious bodily injury, that creates or causes protracted physical pain, temporary disfigurement, or temporary loss or impairment of the function of any bodily member or organ.
- (13) “Writing” or “written” includes any handwriting, typewriting, printing, electronic storage or transmission, or any other method of recording information or fixing information in a form capable of being preserved.

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,
v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
DEVYN MALONE**

DEVYN MALONE, having been duly sworn, hereby states the following:

1. My name is Devyn Malone. I am 21 years old, and I live with my parents at 259 Mountain Drive in Canyon City, Utah. I work part-time as a cashier at a local gas station convenience store. I am the victim of a vicious and cowardly attack by P.J. Long on March 18, 2012.
2. I was leaving my favorite place, The Hang Out, on March 18 at approximately 9:00 p.m. So, I am in the parking lot and walking to my car when I hear someone, who sounds like P.J., singing the lyrics to a disgusting song by an even more disgusting rapper called D.J. Heartless. The song is "The Chump Gotta Die," from the album *Future Destruction*. The lyrics I heard P.J. singing are:

*If the chump gets in my way,
he is gonna have to pay,
that all for now I gotta say,
end of this rotten day.*

*With the tire iron from my trunk,
I will deploy in multiple phases,
and the chump I am sure,
will soon be pushing up daisies.*

I don't care for rapper D.J. Heartless and would never buy any of his music. His music is played on the radio all of the time, and many of my friends have this album.

3. I hear, from behind me, P.J. singing the song as I am walking to my car, and I don't think anything of it. Then, all of a sudden, P.J. strikes me in the back of my head with a very hard object. I apparently lost consciousness for a few seconds, and the next thing I remember is being helped to sit up by my best friend, Ryleigh Tecrest. Ryleigh saw someone running away, and s/he said the person was about the same height and weight of P.J. and was wearing a black leather jacket with a big

white eagle on the back, similar to the jacket P.J. was wearing on the night of March 18. Now, I know a lot of people have a similar jacket, but the only person I remember wearing a leather jacket in The Hang Out on March 18 was P.J.

4. Ryleigh had thought about giving chase to P.J., but did not want to leave me. S/he helped me to sit up and asked me what had happened. I said to Ryleigh, "I think that loser P.J. Long clocked me." S/he then helped me to stand and to walk to my car. Using my car, Ryleigh drove me to the emergency room of Great Salt Lake County Medical Center. It took 15 stitches to close the gash in the back of my head.
5. Before I was released from the hospital, police officer Kennedy Callahan came to my room. Someone on the hospital staff must have called the police, based on what Ryleigh and I had told the staff. I told Officer Callahan what had happened. I told him/her about the minor incident earlier in the evening at The Hang Out when I accidentally bumped into P.J., causing him/her to spill his/her drink. I said that I may have told P.J. to "watch it," but I did not mean anything negative about it. I was just suggesting that everyone be careful. You should have seen the look P.J. gave me. If looks could kill, I would have been dead at that instant. I told Officer Callahan that I offered to buy P.J. another drink, but s/he declined my kind gesture. Some people just prefer to make trouble. I told the officer that at about 8:30 p.m., I yelled to Ryleigh, from across the room, that I would be leaving The Hang Out in about thirty minutes and to meet at my car that was parked near the front entrance of The Hang Out. Ryleigh said sure. I did, in fact, leave at about 9:00 p.m., and that is when P.J. attacked me.
6. Ryleigh told Officer Callahan that the person s/he saw running away looked like P.J. from the rear, and the person was carrying what looked like a tire iron. Ryleigh also told the officer that s/he had seen P.J. around 7:30 p.m. on March 18 sitting in his/her car parked in The Hang Out's parking lot, listening over and over again to the song, "The Chump Gotta Die." The officer said s/he was not surprised that P.J. would attack someone in this cowardly manner, and that s/he has had many run-ins with P.J. over the years. The officer thanked us for providing the information and said s/he would see to it that P.J. is put away for a long time for this shameful act.
7. I am sure P.J. is the person that attacked me. Any suggestion that it was someone else, like Shannon Taylor, for instance, is off base. I have had my differences with Shannon. He claims that I have been spreading a rumor that he was stealing money from his employer, Pizza Galore. I believe he was recently fired. I did not start the rumor and have not repeated it. Besides, I did not see Shannon in The Hang Out on March 18 and would have remembered that if I did.
8. Anyway, Shannon is not a coward like that P.J. and would not hit someone from behind. P.J. and people like him/her, who listen to all of that hard-core rap stuff, sometimes act out some of the things they hear. I like rap music like many

young people, but I can do without that hard-core rap stuff. That kind of music is a bad influence. See what P.J. did to me.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 19, 2012

Devyn Malone
Devyn Malone

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,
v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
RYLEIGH TECREST**

RYLEIGH TECREST, having been duly sworn, hereby states the following:

1. My name is Ryleigh Tecrest, and I am 22 years old.
2. Since graduating high school in May 2008, I've been living with my parents and attending Red Rock Community Technical's two-year hair stylist program. I don't go every quarter, but I'll finish eventually.
3. When I graduate, I don't know how long I'll stick around my hometown. Utah is good for hair, but I bet I'll be good enough to go to L.A. I'm really into the celebrity and music scene, and I just recently started listening to more rap music at this place I hang out at. The music is so loud you can hardly understand half of it, but I'm starting to pick it up. I hope if I really get to know the music, I can start making connections and styling hair for music-video shoots and stuff.
4. When I'm not studying to be a stylist, I like to play video games at Arcade Market. The Arcade Market is a super sweet, modern arcade on Main Street in Canyon City. The Arcade Market has a pretty intense set up, and a lot of video-game players are serious and play nonstop. But it's not some low-key, loner group of video-game players. These people know how to party. You'll always see a lot of action on a night at Arcade Market. I also spend a lot of time hanging out with my friends at The Hang Out. I'm at one of those two places--or sometimes both--practically every night. Sometimes I'm even surprised I have any time for school; life's just one long blur of partying.
5. The Hang Out is owned and run by this guy/girl named Max Miller. S/he pretends to get so mad at me and my friends because s/he says we are "bad influences" on the teenagers that hang out there. But I know s/he's cool. The Hang Out's always packed, the music is always loud, and there's not a lot of crowd control trying to keep us from having a good time. Things get so crazy. There was even an attack at The Hang Out sometime in the fall of 2010. And now my friend, Devyn Malone, got attacked there, too.

6. Devyn Malone and I have been best friends and partners-in-crime since middle school. Actually, Devyn and I even kept each other out of detention in middle school because one of us would goof off, and the teachers would never know who to blame. We certainly weren't going to help them out. It's really messed up what happened to Devyn.
7. On this one day in the middle of March, I was hanging out at Arcade Market when I decided to go over to The Hang Out to wait for Devyn and our crew to get there. Devyn had told me earlier that s/he wasn't planning on staying out late that night, and I wanted to be sure I didn't miss him/her. That's the night that someone attacked Devyn. I know it was P.J. Long who did it. That punk heard Devyn tell me what time we should meet at the car. Devyn yelled it across the room. S/he even said where the car was parked, so P.J. Long knew Devyn would be waiting for me there. By the time I walked out to meet Devyn, s/he was already on the ground. I saw that coward P.J. making a break for it with something in hand. I think it was a tire iron. I couldn't see P.J.'s face, but the person who was running wore a dark leather jacket with a large white eagle on the back. It looked just like P.J.'s, and the person was the same height and size.
8. When Devyn finally came to, I asked what happened. All Devyn said was, "I think that loser P.J. Long clocked me." If that cheapskate Max had lights in the parking lot, this attack on Devyn wouldn't have happened. All Max has is this little floodlight on the right side of the front entrance to The Hang Out. It's hardly enough to light up the front of the building, let alone the surrounding area. Someone should file a complaint with the State Liquor Commission about this.
9. Even if I hadn't seen someone who looked like P.J. sprinting away, I just know P.J.'s the kind of person to attack someone. I got to The Hang Out at about 7:30 p.m., and when I was cutting through the parking lot from its back entrance, I noticed P.J. blasting this song, called "The Chump Gotta Die," over and over in his car. That song's just aggressive. Also, no one saw P.J. in The Hang Out after Devyn was attacked. Explain that.
10. I don't know if I'm more annoyed that P.J. beat up Devyn, or that I had to talk to the 5-0 because of it. After I drove Devyn to the hospital, we had to tell Officer Callahan what happened. We let him know P.J. was the attacker and exactly where P.J.'s car was parked on that evening. I've got to admit, if I ever have to deal with a cop again, I hope it's Officer Callahan. That guy/lady was so laid back and easy to talk to that I almost forgot s/he carried handcuffs.
11. I've got a criminal record, but nothing like P.J. Long has or his/her roommate, Murda. I was arrested two years ago for what the cops said was Joyriding, a third degree felony, whatever that means. This dude left his car running when he was in Jimmy's Bagels buying a bagel or something, so I took it for a little trip. I drove around town and picked up a few of my friends; nothing major. I ended up pleading guilty to a

felony and received probation, which I have successfully now completed. It was totally worth it. And it's not like the Jimmy's Bagels guy couldn't spare a little extra gas.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 20, 2012

Ryleigh Tecrest

Ryleigh Tecrest

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,

v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
KENNEDY CALLAHAN**

KENNEDY CALLAHAN, having been duly sworn, hereby states the following:

1. My name is Kennedy Callahan. I am a police officer for Canyon City in Great Salt Lake County in the State of Utah.
2. I have proudly served on the force for 15 years.
3. My integrity is without fault. I am an honest officer, despite having had to appear in front of Internal Affairs on at least ten occasions. Anyway, my honesty has never been an issue.
4. I have a reputation in the station as being a bit of a “hothead” due to the run-ins I have had with the department command. I like to use my own techniques in catching criminals and protecting the public. I have received directives from the command to use the traditional techniques, but I find my way to be more effective in combating crime. I am a police officer, and this is my job – those pencil pushers have no idea what it is like on the streets.
5. I work alone. I prefer to work alone because a partner can only slow you down. Being slow in my line of work can mean the difference between laying your head on a pillow in your own bed or taking a permanent dirt nap over at your local cemetery.
6. People like to question me: “Are you really such a good cop? Why haven’t you been promoted to detective?” I’ll tell you; it is because of one letter of admonishment from Internal Affairs. Sure, I “push the envelope” in making arrests, but I am effective.
7. As far as the letter of admonishment; in May 2010, I had an encounter with one P.J. Long, one of many times that has led to his/her arrest for minor criminal infractions – stupid stuff! I really hate that P.J. Long – s/he is one bad egg. Anyway, in May 2010, I stopped P.J. and made an inquiry regarding a minor infraction to determine if s/he was a participant. S/he was acting like a trouble-maker;

you know, a real wise guy, so I told him/her to stop it and answer my questions, or I am going to use my little friend on you. I pulled my Taser out. S/he screamed, "Don't Tase me!" S/he took a step toward me, and I Tased him/her. Down s/he went. P.J. was one big jiggling, mouth foaming, and crying mess. P.J. then filed a complaint against me for using my Taser. I was cleared – no wrongdoing. But they issued me a letter of admonishment which became part of my personnel file. Everybody loves sausage, but nobody wants to know how it's made. And that's why I am not a detective, because of that loser P.J. Long.

8. On March 18, 2012, I received a call regarding a possible assault on one Devyn Malone outside a hip-hop establishment commonly known as The Hang Out. It is owned by a Max Miller, who has had trouble with the State Liquor Commission for serving alcohol to minors. I understood from the call that Mr./Ms. Malone had been transported to the hospital, so I immediately made my way to the hospital.
9. I located the victim, Devyn Malone, and a friend, a possible witness, named Ryleigh Tecrest. The E.R. doc had just finished closing a gash on Mr./Ms. Malone's head with 15 stitches. I introduced myself to Mr./Ms. Malone and Mr./Ms. Tecrest, and then I asked them for their statements. I took notes, so that I could refer back to them later.
10. During my interview, Mr./Ms. Malone told me, "I think that loser P.J. Long clocked me." I learned that P.J. was inside The Hang Out when Mr./Ms. Malone arrived. Mr./Ms. Malone was there to meet Mr./Ms. Tecrest, who had arrived earlier that evening. Upon entering, Mr./Ms. Malone bumped into the defendant, causing the defendant to spill his/her drink. No words were exchanged other than Mr./Ms. Malone telling the defendant to "watch it." Mr./Ms. Malone could only recall being struck from behind before losing consciousness. S/he did not see the attacker.
11. I then interviewed Mr./Ms. Tecrest. I am familiar with Mr./Ms. Tecrest. I recall that s/he was arrested a couple of years ago for Joyriding, a third degree felony. I am certain s/he pleaded guilty to the felony, but s/he received probation and did not go to jail. I was not the arresting officer. Mr./Ms. Tecrest told me that s/he noticed the defendant sitting in her/his car around 7:30 p.m. listening to, with the volume turned way up as those kids do so that everything around them is vibrating, D.J. Heartless' song, "The Chump Gotta Die," over and over again. Mr./Ms. Tecrest then indicated that Mr./Ms. Malone arrived at The Hang Out, where s/he bumped into the defendant, causing the defendant to spill his/her drink. Mr./Ms. Tecrest said that s/he heard Mr./Ms. Malone say to the defendant, "Watch it!" At approximately 8:30 p.m., Mr./Ms. Malone yelled across the room to Mr./Ms. Tecrest and said that they had to leave in a half-hour. S/he said they would meet at Mr./Ms. Malone's car.
12. At about 9:00 p.m., Mr./Ms. Tecrest exited The Hang Out, and s/he observed Mr./Ms. Malone lying on the ground unconscious. Mr./Ms. Tecrest further indicated that s/he observed an individual running away with what appeared to be a tire iron. S/he was running towards the area of The Hang Out's parking lot, where Mr./Ms. Tecrest had seen P.J.'s car parked that evening. S/he also observed that this

individual had a similar build as the defendant's, and that this individual was wearing a black leather jacket with a large white eagle on the back. Mr./Ms. Tecrest noted that s/he had observed the defendant wearing a similar leather jacket that night. Mr./Ms. Tecrest assisted Mr./Ms. Malone back to his/her feet and then proceeded to drive Mr./Ms. Malone to the hospital. S/he further added that when Mr./Ms. Malone returned to consciousness, s/he said, "I think that loser P.J. Long clocked me."

13. After the interviews, I went to the crime scene to look for evidence. Using my flashlight, I completely searched the area where the attack occurred and the area where the attacker reportedly ran. About 50 yards from the where the attack took place, I found a tire iron under some bushes. I proceeded to my precinct, where I turned in the tire iron for testing. I took my report to the prosecutor's office and requested charges of Aggravated Assault, a third degree felony, be filed against P.J. I then went to the Canyon City District Court, where I obtained an arrest warrant for the arrest of the defendant.
14. Late in the afternoon of March 19, 2012, I went to the apartment of the defendant. When I found that no one was at home, I then proceeded to The Hang Out. At The Hang Out, I ran into the owner, Max Miller, and I then inquired as to the whereabouts of the defendant. Miller asked why I was looking for the defendant, and I told her/him that the defendant allegedly assaulted Mr./Ms. Malone in the parking lot the previous night. Miller indicated that s/he had no knowledge of such an incident, but s/he did recall that Mr./Ms. Malone and the defendant did have an altercation last night. Miller then added that ever since the stabbing at his/her place in September 2010 and the subsequent investigation by the SLC, s/he has been running a tight ship.
15. I then exited the premises known as The Hang Out, where I saw the defendant's best friend and roommate, Avery Maurder a/k/a "Murda," walking toward the establishment. As soon as Murda noticed me, s/he proceeded to run away. I gave chase and tackled him/her to the ground. I then asked Murda why s/he was running. Murda then indicated that there was an arrest warrant out on him/her for repeatedly getting on and off of the UTA buses and trains without paying. I knew that this was not correct, as I knew that arrest warrants were rarely issued for riding the UTA buses and trains without paying. I then made a further inquiry by asking Murda where I might find the defendant. I then placed my hand on my Taser, with no intention of using it, and Murda cooperatively told me that s/he had last seen the defendant an hour ago at the arcade on Main Street. I then asked him/her if s/he knew anything about the assault last night involving Mr./Ms. Malone and the defendant. Murda then indicated that s/he had no such knowledge. I then thanked the citizen for his/her cooperation. I then proceeded to the arcade, where I was able to arrest the defendant without incident.
16. The police department's forensic unit tested the tire iron for evidence. Although traces of blood and hair were found on the tire iron, there was a contamination concern, so DNA testing could not be completed effectively on the blood and hair

fibers. No fingerprints were found on the tire iron, probably because the defendant was wearing gloves. We wear gloves in March around here. Nevertheless, I am pretty sure that this is the tire iron P.J. Long used to attack Mr./Ms. Malone. I obtained a search warrant on March 21, 2012, to search P.J. Long's automobile and discovered that the tire iron was missing. What more do you need?

17. This talk about Shannon Taylor possibly being the attacker in this case is all wrong. Shannon Taylor is not a suspect. I've learned that there are several individuals who have had differences with Devyn Malone. The fact that Shannon Taylor has a leather coat with a white eagle on the back is of no consequence. Around here, there are a lot of people who have that jacket. It is a popular coat. I arrested the attacker of Devyn Malone, and it is P.J. Long.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 22, 2012

Officer Kennedy Callahan

Officer Kennedy Callahan

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,

v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
P.J. LONG**

P.J. LONG, having been duly sworn, hereby states the following:

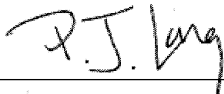
1. My name is P.J. Long. I reside at 534 Dune Street in Canyon City, Utah. I was employed at a machine shop until about two months ago. I just started receiving unemployment compensation. I still can't believe that I have been accused of, and even charged for, something I did not do.
2. I was arrested on March 19, 2012, having been charged with attacking Devyn Malone from behind with a tire iron on the evening of March 18. I was told that s/he was assaulted in the parking lot at The Hang Out. Now, all kinds of dangerous people, including ex-felons, hang out at The Hang Out. Any one of them could have wracked him/her, because nobody likes Devyn. Devyn thinks s/he is better than anybody else and struts around like s/he owns the place. It just makes you sick to see how Devyn carries himself/herself, so full of himself/herself. While I did not attack Devyn, s/he, nevertheless, deserved what s/he got.
3. This whole thing appears to have started on March 18, 2012, at The Hang Out. I was sitting at a table with my friends, talking about current events. As I was about to take a first sip from the five-dollar drink I had just purchased, Devyn clumsily bumps into me, causing me to spill more than two-thirds of my drink. Instead of apologizing, Devyn shouts to me, "Watch it!" Can you believe it?! Devyn bumps into me, causing me to spill my drink, and it's my fault! Needless to say, I was not happy with this occurrence. At that instance, I could have "gotten into Devyn's face." But I did not want to cause any trouble, so I just let it go. I like going to The Hang Out, and if I started a fight, Max, the owner, would ban me from the place. Max has had enough trouble with those liquor commission people.
4. I've heard that Devyn has been telling people that s/he apologized for causing me to spill my drink, and that s/he even offered to pay for another one. S/he also has been saying that I refused his/her offer. Trust me, none of this took place.

5. I don't remember when I left The Hang Out on the evening of March 18, 2012. It could have been before 9:00 p.m., or it could have been after that time. The fact that I don't have someone who could vouch for where I was at the time Devyn was attacked does not mean that I was the person who attacked him/her. I remember leaving The Hang Out at some time on March 18 and driving around the town to clear my head. I eventually went back to my apartment and just listened to music. My best friend and roommate, Avery Maurder, returned to the apartment at about 10:30 p.m. We stayed in the apartment until about 11:00 p.m. and then left for the arcade on Main Street. I stayed at the Arcade Market until closing time at 1:00 a.m. I had thought about going back to The Hang Out, but decided it was best to go home since I was really tired.
6. My lawyer says the prosecution is focusing in on me because I like rap music, specifically the rap music of D.J. Heartless. He is really a very cool guy, a Grammy- award winning artist. He has this one song that I like the most, called "The Chump Gotta Die." The lyrics are catch, and sometimes I will sit in my car and listen to the song a few times. I don't see anything wrong with that. So, let me get this straight. I listen to my favorite song, and this makes me go out and hit someone in the head with a tire iron. Have you ever heard of anything so absurd?
7. This persecution, that's right--"persecution," is Officer Callahan's doing. S/he and I have never gotten along. S/he is a "Dirty Harry" kind of cop, thinking s/he has the right to push people around. Officer Callahan once tried to arrest me for no reason. I believe it was in 2010. During the arrest, s/he claimed I was trying to resist and used the Taser on me. I was just trying to tell the officer that I had not shoplifted anything, and that the store owner had made a mistake. This so-called "resistance" was too much for the officer, and that is when I was Tased. The charges were eventually dropped. I filed a complaint with the police department. Someone from Internal Affairs visited me and took a statement. It is my understanding that the department was not happy with Officer Callahan using the Taser on me, and s/he may have been disciplined. It serves him/her right.
8. Avery Maurder has been a great friend. It seems everybody in the neighborhood has a nickname, and Avery's street name is "Murda." I don't believe Murda has ever really killed anyone, but you really wouldn't want to get on his/her wrong side. S/he would do anything for me, and I would do anything for him/her. Murda has been in trouble with the law and has served time. S/he did a year in the Great Salt Lake County Correctional Facility for roughing up a person who got on Murda's wrong side. Murda, using a tire iron, beat the crap out of this person who, I believe, probably deserved what s/he got. So, I guess now anybody I know who gets a tire iron to his/her head, the police will come looking for me or Murda. I don't mean to make this sound like a "pity party," but give me a break! Murda and I don't claim to be saints. We have had our scrapes with the law, but we don't take cheap shots at our enemies.

9. If you ask Murda, s/he will tell you that I was back in the apartment listening to music at about the time Devyn claims s/he was attacked. Anyway, I remember Shannon Taylor telling me earlier this year that "if I ever catch Devyn alone at night, I'm gonna put a dent in his/her skull." Apparently, Shannon had heard that Devyn was spreading rumors that Shannon was stealing money from Shannon's employer, Pizza Galore. Shannon worked the cash register as well as delivered pizzas and wings. I believe I saw Shannon in The Hang Out on March 18, but I can't be certain. Come to think of it, I have not seen Shannon since January or February of 2012. You have to wonder where he is.
10. So what if I have a black leather jacket with a large white eagle on the back. I know a lot of people that have a leather jacket like mine. As a matter of fact, I believe Shannon has this same exact jacket. So much for the prosecution's case!
11. The prosecution is making a big deal about the tire iron missing in my car. The car is almost 20 years old and is a piece of crap. I have never been able to lock the trunk, so anyone could have taken it. When I bought the car three years ago, I don't believe there was a tire iron in the trunk. I did not check at the time because it was not something I was concerned about. I was just glad it was running and did not cost too much. If I ever need to fix a flat, I'll just borrow a tire iron. No big deal. Most people have one.
12. I am sure I will be acquitted of this crappy charge. All the prosecution has, according to my lawyers, is circumstantial evidence. And the prosecution is trying to use everything it has, including lyrics to a rap song. Can you believe it?! While Officer Callahan has spent all of this time focusing on me, the real perpetrator of this crime is still out there.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 23, 2012



P.J. Long

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,

v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
AVERY MAURDER**

AVERY MAURDER, having been duly sworn, hereby states the following:

1. My name is Avery Maurder. P. J. Long and I live at 534 Dune Street in Canyon City, Utah.
2. P.J. and I came up together. We lived in the Levi Haynes Houses. There was a bunch of us who all went to the High School for Strong Citizens. It was supposed to be for strong people, see. Strength through sports; that was the school slogan. Yeah. But to me, it was strength through not getting beat up in the hallway, strength through not getting pushed around by teachers, strength through having friends who'll have your back. That school was just bad. No one learned anything. No one listened to the teachers. People, they just got up out of their seats and walked around the classroom, chilling out with their friends. The teachers didn't say nothing, neither. They were too scared they'd get beat up. They weren't teaching me anything. I was just wasting my time, so I quit.
3. What did I do after I quit school? What do you think I did? I moved on; supported myself. I been working all my life, know what I mean? Bagging groceries, shoveling snow, washing cars - you know; that kind of thing. I got my GED when I was doing time in the county jail. Then when I got out, I worked at McPizza, part time, and sometimes at the small market up there on Main Street.
4. I did some time, yeah, but I'm no criminal. I never killed anyone. They call me Murda on the street. But that's just a play on my last name. So what, I did a year in jail. They charged me with assault. I pleaded guilty to a third degree felony. It was a crock. That person asked for it. S/he scratched my ride. Not by accident, neither.
5. Okay, so I like to jump on and off of the buses and Trax trains without paying, and I have been caught and cited a few times. I never did anything about any of those citations and wasn't sure if there was a warrant for not appearing. But you know, that's not really a serious crime. It's not like it hurts someone. You know what's a crime? That they charge so much in the first place. Where do they expect

me to get that kind of money? But the cops, they don't like it, so when I saw Officer Callahan, I ran. S/he caught me, though. The cop asked me why I was running. I told the officer I thought s/he was trying to arrest me. The officer then asked me where was P.J. I didn't think it was any of his/her business where P.J. was. So, I lied and said I did not know where P.J. was. Officer Callahan was reaching for his/her Taser, and I said, "Yo! Don't Tase me!" S/he was going to Tase me! There is something wrong with this cop.

6. You know, s/he Tased P.J. a while back for nothing and got into a lot of trouble. P.J. told me the Taser hurts like crazy, so I told the cop that I saw P.J. over at the arcade on Main Street about an hour ago. Then the cop wants me to tell him/her about the attack on Devyn. I told the officer I don't know anything. I also said I don't care for Devyn Malone and his/her friends, and that s/he probably deserved what s/he got.
7. You know, me and my friends like video games, and we're good at them, too. We meet up at the arcade on Main Street. That's where P.J. and I went after I caught up with him/her again on the night of March 18, 2012. I had seen him/her earlier in the evening at The Hang Out. But around 10:00 p.m., I noticed P.J. had left without telling me. I don't know what time s/he left The Hang Out on that night. I asked some of our friends where P.J. was. They did not know. So, at around 10:30 p.m., I went to the apartment to look for P.J. S/he was sitting in a chair and listening, over and over again, to his/her favorite song, "The Chump Gotta Die." S/he must have replayed the song three or four times before we left the apartment at 11:00 p.m. to go over to the arcade. For some reason, P.J. didn't want to go back to The Hang Out.
8. That guy/girl, Devyn, I've seen him/her before. S/he and his/her friends; they are wannabes, all of them. Acting like they come from a tough neighborhood, you know. Dancing all hip-hop style in the clubs; that kind of thing. And it's all fake. You hear them talk? People from Haynes Houses don't talk like that. That Devyn didn't go to no school where kids had to go through metal detectors to get in and where there was a cop at the restroom door, so no one would get beat up in there. S/he went to some special school, where you got to go on a bus or ride the train to get to it. They've got lots of computers, and they learn Chinese or some such. S/he went to a school where they expect you to go to college after. Not a tough school like we went to.
9. You can't believe anything Ryleigh Tecrest, Devyn's best buddy, says or trust him/her. I remember seeing him/her in county lockup a couple of years ago. I believe s/he was in for stealing a car. I heard s/he was all scared and always sucking up to the correctional officers like they were going to protect him/her. I wouldn't be surprised if s/he didn't become an informant. So s/he sees someone running away after Devyn's attack. So what if they were wearing a leather jacket looking like the one P.J. has? A lot of people have this jacket including me, P.J., and Shannon Taylor. I heard that Shannon has a beef with Devyn. I haven't seen Shannon around for some time now.

10. I don't know what happened to Devyn that night. I guess s/he was hit over the head, and I bet s/he asked for it, too. Devyn Malone doesn't belong in our neighborhood. People like that should keep to themselves up in their own neighborhood, not come down here pretending to be one of us.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 26, 2012

Avery Maurder

Avery Maurder

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,
v.

P.J. LONG,

Defendant.

Case No. 13cr4141025

**AFFIDAVIT OF
MAX MILLER**

MAX MILLER, having been duly sworn, hereby states the following:

1. My name is Max Miller. I currently am the owner and operator of The Hang Out, a popular Canyon City hip-hop establishment frequented by teenagers and young adults.
2. I was born and raised in San Diego, California, and spent most of my young-adult life as a surfer and part-owner of an establishment called the Surf and Turf, in San Diego, until it closed in 1999. At the mature age of 30, I moved to Canyon City, Utah, and worked in a place owned by an ex-Marine buddy of my father's. However, after the terrorist attacks of 9/11 and the change in the economy, it closed. A friend of mine told me about The Hang Out, which at the time was in receivership. I made an offer, which was accepted, and ever since then, The Hang Out has been the reason for my existence.
3. Despite the relative success I have had operating The Hang Out, the State Liquor Commission (SLC) has been a thorn in my side because of the underage drinking clientele that is attracted to The Hang Out. Teenagers throng to The Hang Out for the cool hip-hop music and to socialize with their friends. They are not permitted to purchase alcoholic drinks, but it is known that the drinking-age clientele will sometimes provide liquor to the teenagers, something I cannot control.
4. I strictly prohibit the sale of alcohol to the underage clientele that come into The Hang Out. All of my employees check IDs before serving alcohol. I could exclude the under-21 patrons, but I would lose significant income from the food and soft drinks they legally purchase while in The Hang Out. The loss of income would force me to shut down.
5. The SLC has unfairly targeted me by fining me for allowing teenagers to consume alcohol on the premises. I am a small-time neighborhood establishment and do not have enough people on the payroll to monitor everything that happens on the premises. I try to run a legitimate business, but cannot stop the young crowd from frequenting The Hang Out.

6. In the early evening of March 19, 2012, Officer Kennedy Callahan entered The Hang Out. S/he wanted to talk to me and asked me if I had recently seen P.J. Long, a regular patron of The Hang Out. When I asked Officer Callahan why s/he was looking for P.J., s/he told me that P.J. had assaulted Devyn Malone, another frequent patron, in The Hang Out's parking lot the night before. S/he also told me that s/he had a warrant for P.J.'s arrest.
7. This was the first I had heard about anyone being attacked in The Hang Out's parking lot on March 18, 2012. I remember seeing P.J. in The Hang Out the night before, but I do not believe that P.J. would do something like that. Such an incident would cause me even more trouble with the SLC. The SLC had investigated an alleged stabbing in The Hang Out in September 2010. At that time, the SLC warned me that any future criminal conduct or underage drinking in The Hang Out could result in a revocation of my liquor license. With no liquor license, I would have not any choice but to shut down The Hang Out.
8. Not having seen P.J., I told Officer Callahan that P.J. had not been in The Hang Out at all on March 19, 2012. However, Officer Callahan seemed to assume that I was covering for P.J. Knowing of my history with the SLC, s/he responded that if I were covering for P.J., "there would be consequences."
9. Then the officer goes off chasing after P.J.'s friend, Murda, who was on his/her way into The Hang Out. I learned later that this is all because Ryleigh Tecrest thought the person running away after the attack was P.J. Ryleigh based this conclusion on nothing more than that the person was wearing a leather jacket with a white eagle on the back. A lot of my patrons have that jacket. If I were a few years younger, I would even have one. I've seen Shannon Taylor wear that jacket, and I was told Shannon was in The Hang Out on March 18, 2012. Anyway, I wouldn't trust anything that slimy Ryleigh has to say. S/he was arrested for stealing a guy's car and joyriding with his/her friends around town all day. It wouldn't bother me one bit if Ryleigh and Devyn never came to The Hang Out again.
10. I saw the incident in The Hang Out that Devyn believes caused the attack. Devyn clumsily bumped into P.J., causing P.J. to spill his/her drink. Instead of apologizing right away, Devyn tells P.J. to "watch it." The look in P.J.'s eyes could kill. But cooler heads prevailed, and nothing happened. Anyway, everybody knows I don't tolerate fighting in The Hang Out. I believe I heard Devyn offer to buy P.J. another drink, but because of Devyn's attitude and because P.J. was so mad, s/he refused the offer.
11. Well, I have had my troubles with the SLC, but I would not try to cover up any crime that might have taken place at The Hang Out. I really don't believe anyone

was attacked in my parking lot on March 18, 2012. Why didn't they call the police right away? I wouldn't put it past Devyn and Ryleigh to have made up all of this stuff.

To the best of my knowledge, the above is true.

Dated: Canyon City, Utah
March 27, 2012



Max Miller

OFFICIAL EXHIBITS

EXHIBIT: State of Utah Crime Laboratory; one page

EXHIBIT: Judgment of Conviction—Ryleigh Tecrest; one page

EXHIBIT: Judgment of Conviction—Avery Maurder; one page

EXHIBIT: Parking Lot Map; one page

EXHIBIT: Tire Iron Photograph; one page

EXHIBIT: Jacket Advertisement; one page

EXHIBIT: Song Lyrics; one page

STATE OF UTAH CRIME LABORATORY

Criminalistic Analysis Report - FORENSIC EXAMINATION

Suspect: LONG, P.J.

Crimes: AGGRAVATED ASSAULT

Evidence Submission Information:

Evidence Submitted:	03/21/2012	CL Case: N20120527
How Received:	IN PERSON	Agency: Great Salt Lake Co.
Materials:	Tire Iron	
Submitted By:	Great Salt Lake County Prosecutor	
Examined By:	Horatio Caine	
	Crime Scene Laboratory	

Analysis:

An L-shaped standard tire iron was examined to determine whether it had been used as a weapon in a crime. Preliminary analysis showed the presence of hair fibers and blood on the elbow area of the tire iron.

Using a stereo-microscope, it was determined that the hair fibers were from a human donor. Having obtained hair samples from the victim, it was determined that the source of the hair fibers found on the tire iron appear to be from the victim.

An examination was conducted to determine whether the blood sample found was human blood. Under appropriate testing, the blood sample was found to contain human antigens. However, the sample was contaminated; therefore, DNA analysis was not possible.

Consequently, this examiner cannot conclude, to a reasonable degree of scientific certainty, that the tire iron tested was used in the assault upon the victim.

/s/Horatio Caine
Utah State Crime Laboratory
Forensic Examiner

Dated: March 21, 2012

CHAIN OF CUSTODY STATEMENT

The item(s) submitted in this report were in a sealed condition at the time any examination, testing, or analysis was commenced by the undersigned, and that said examination or handling; if any, of the actual items within any such sealed containers was accomplished in a manner to preserve the integrity of the item and to assure that any chance of misidentification, or environmental cross-contamination, would be avoided by adherence to standardized procedures within the Utah State Crime Laboratory appropriate to any processes applicable to the examination, analysis, or testing of said items. The breaking of any seal or part of the container in which the item was submitted has been followed by a reinsertion of the item into its original container, followed by any examination, testing, or analysis and resealing of that container with the undersigned's initials placed over such new seal.

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,

v.

RYLEIGH TECREST

DOB: 09-26-1990

DATE OF ARREST: 06-07-2010,

Defendant.

JUDGMENT OF CONVICTION

Case No. 101900640 FS

Judge T.R. Hansen

IT IS ADJUDGED that the Defendant, Ryleigh Tecrest, has been convicted upon a plea of guilty to the offense of JOYRIDING/UNAUTHORIZED CONTROL FOR AN EXTENDED TIME, §41-1A-1314, *Utah Code Annotated*, a third degree felony.

Dated this 10th day of June, 2010.

BY THE COURT:

/s/ T.R. Hansen

DISTRICT COURT JUDGE

**IN THE DISTRICT COURT
GREAT SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH,

Prosecution,

v.

AVERY MAURDER

DOB: 11-15-1991

DATE OF ARREST: 06-30-2010,

Defendant.

JUDGMENT OF CONVICTION

Case No. 101900886 FS

Judge D.M. Frederick

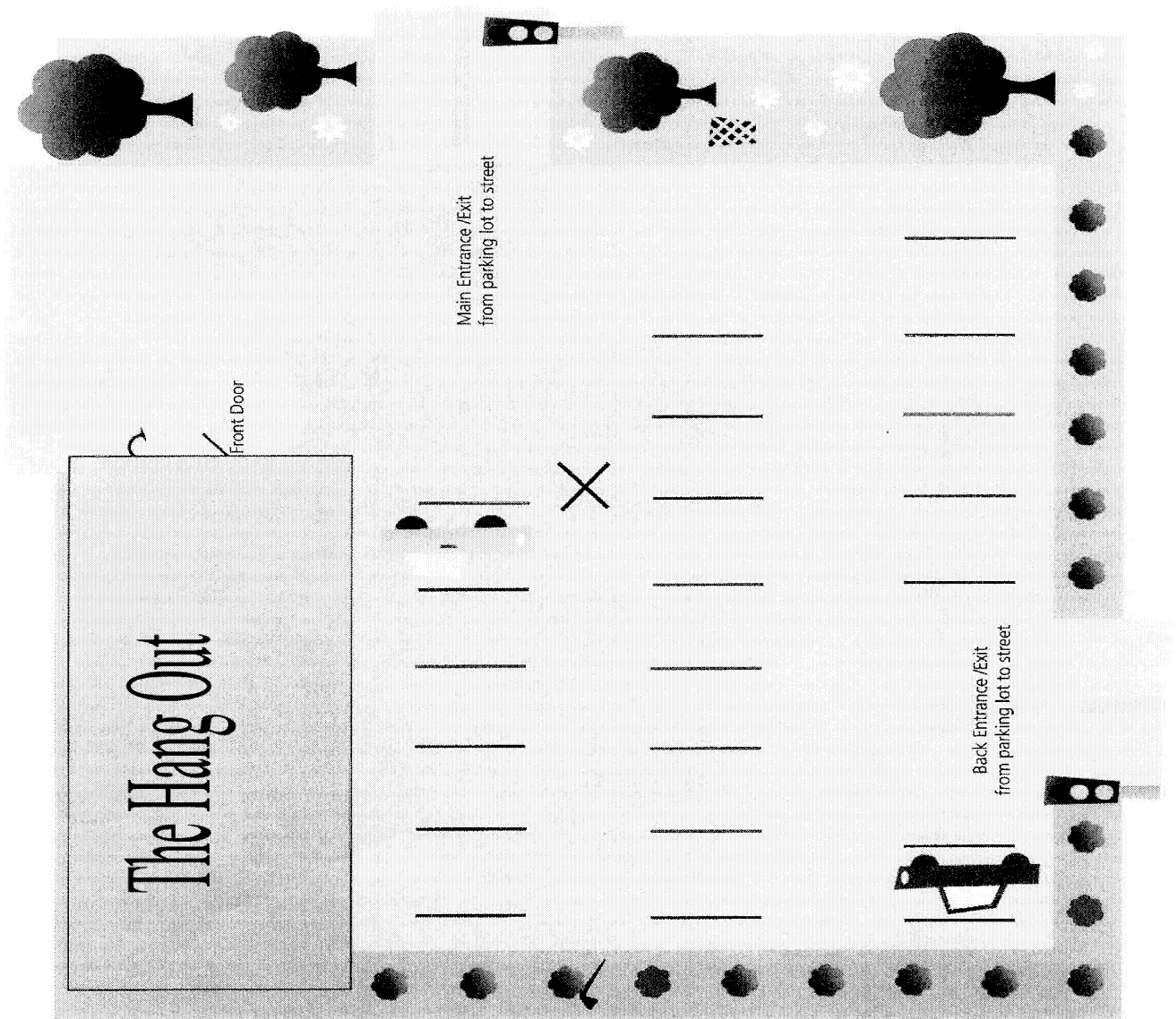
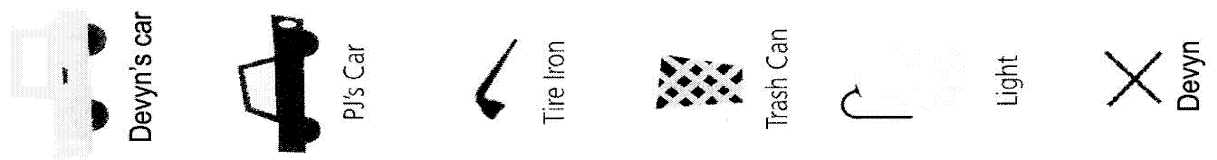
IT IS ADJUDGED that the Defendant, Avery Maurder, has been convicted upon a plea of guilty to the offense of AGGRAVATED ASSAULT, §76-5-103, *Utah Code Annotated*, a third degree felony.

Dated this 5th day of July, 2010.

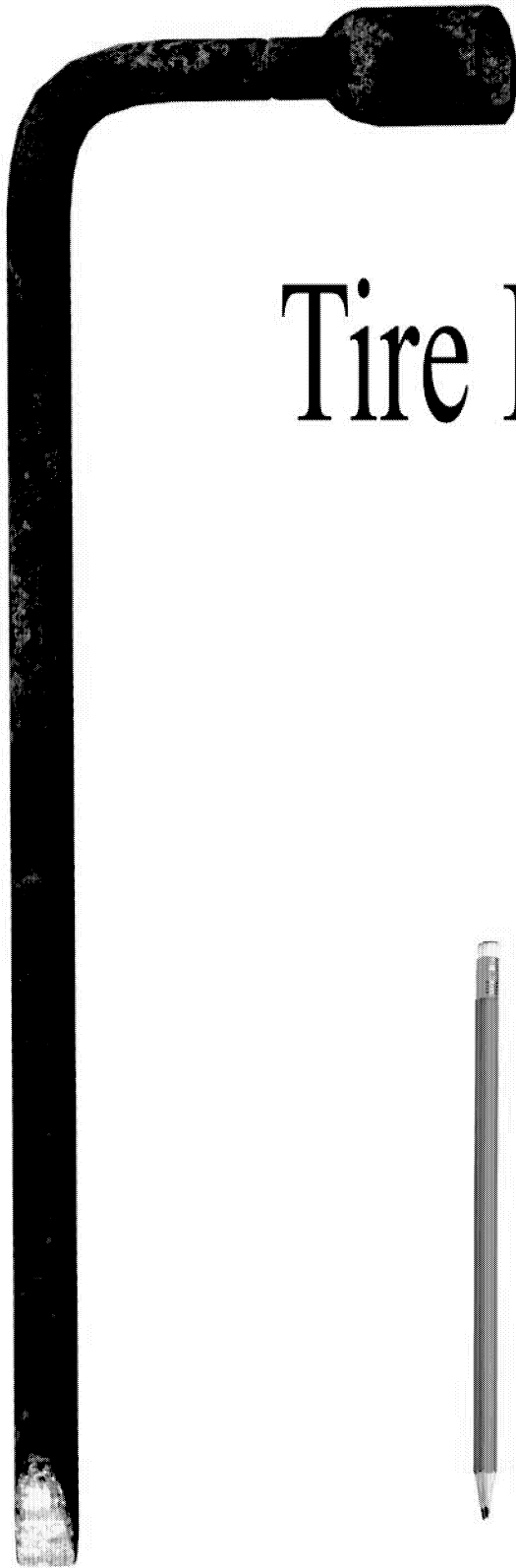
BY THE COURT:

/s/ D.M. Frederick

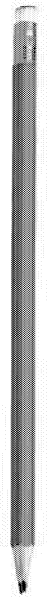
DISTRICT COURT JUDGE



Prepared by Officer Callahan, March 28, 2012



Tire Iron



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Yaz's unisex black leather motorcycle jacket
Classic styling, rich Italian leather with Yaz's signature
Eagle in white leather on back

Regular Price 425.00 Sale Price 379.00

SONG LYRICS

“The Chump Gotta Die”

From the Album Entitled Future Destruction

By D.J. Heartless

*If the chump gets in my way,
he is gonna have to pay,
that all for now I gotta say,
end of this rotten day.*

*With the tire iron from my trunk,
I will deploy in multiple phases,
and the chump I am sure,
will soon be pushing up daisies.*